

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of:)	
)	RM-10865/DA No. 04-700
)	
Joint Petition for Rulemaking to Resolve)	
Various Outstanding Issues Concerning)	
The Implementation of the)	
Communications Assistance for)	
Law Enforcement Act)	

To: The Commission

These comments are being submitted with regard to the above-referenced proceeding.

At the outset, the International Association of Chiefs of Police (IACP) would like to thank the Commission for the tremendous work it has done thus far in recognition of law enforcement's expanding needs in the digital age. As the representative of over 19,000 law enforcement executives from federal, state, and local government, the IACP is well aware of the necessity for law enforcement to maintain the ability of surveillance as a means of restraining criminal activity.

As technology continues to grow, it is imperative to public safety that law enforcement's abilities grow at a comparable rate. In 1994, Congress took these needs into consideration and, by enacting the Communications Assistance for Law Enforcement Act (CALEA), recognized the importance of allowing law enforcement to maintain its current legal authority in a time when technology has the potential to give criminals a safe haven in their communication with one another.

However, today, a full 10 years after its enactment, much remains to be done in order to fully realize the promise of CALEA. Questions regarding the various responsibilities of industry, the establishment of progress benchmarks and implementation deadlines, compliance enforcement authority and cost recovery mechanisms have hindered progress and, as a result, the capabilities of our nation's law enforcement agencies have suffered.

For these reasons, the IACP strongly supports the joint petition for expedited rulemaking filed by the Department of Justice, the Federal Bureau of Investigation, and the Drug Enforcement Administration on March 10, 2004. The IACP agrees that it is critically important for the FCC to resolve, on an expedited basis, these important issues that are fundamental to successful realization of CALEA's goals.

Therefore, the IACP believes that it is vitally important, and consistent with Congress's intent in enacting CALEA, that the FCC initiate a rulemaking proceeding and adopt the rules proposed by the DOJ, FBI, and DEA in their March 10th petition

Once again, the IACP is greatly appreciative of the recognition the Commission has given to the needs of law enforcement. Thank you for your attention to this matter.

Sincerely,

Joseph Polisar
President